

### REMARKS/ARGUMENTS

The specification has been amended to correct a reference character.

Claims 2-6, 24-26, 32-34 stand canceled.

Claims 1, 15, 23, 27, 28, 31, 35, 36 have been amended.

5        Claims 15 has been amended responsive to the claim objection thereto and in accordance with the Examiner's helpful comment regarding antecedent basis.

The Amendment leaves claims 1, 7-23, 27-31, 35-38 pending.

10        The claims have been rejected under Motsenbocker U.S. Patent 6,676,460. Applicant notes with appreciation the specificity of the Examiner in applying the cited reference, which in turn has facilitated applicant's response. Consideration in view of the above Amendment and the following remarks is respectfully requested.

15        Amended claim 1 requires that the first electromagnetic radiation sensor be an infrared sensor sensing heat, including heat emanating from a warm blooded animal, including a human, on the body of the water and including heat of reflected sunlight reflected from the body of water. Amended claim 1 requires that the second electromagnetic radiation sensor be a visible light sensor sensing visible light in the reflected sunlight and preventing the noted change in operation of the marine vessel to minimize false triggering otherwise due to heat of reflected sunlight sensed by the infrared sensor. This is supported in the specification at: page 1, lines 8-11; page 3, line 15-page 4, line 8; page 6, lines 16-26; page 10, lines 13-16; page 11, line 8-page 20 12, line 16; page 13, lines 8-10; page 15, lines 14-22; page 18, lines 21-24; page 33, lines 4-8.

25        Motsenbocker '460 discloses various embodiments including various types of sensors, including infrared sensors: Abstract; column 8, line 62; column 14, lines 11, 27. Multiple sensors may be used with overlapping sensing zones, and sense various objects including warm blooded animals such as humans and including inanimate objects such as rocks (column 1, line 61). While Motsenbocker '460 discloses various sensor methods and embodiments, such reference does not address the problem solved by the subject matter defined in claim 1, nor does Motsenbocker '460 suggest or motivate any solution in accordance with claim 1. Specifically, Motsenbocker '460 does not:

- 30        a)        disclose first and second different sensors in the same detection system; nor
- b)        suggest providing an infrared sensor as a first electromagnetic

radiation sensor in combination with a visible light sensor as a second electromagnetic radiation sensor; nor

- c) suggest preventing the noted change in operation of the marine vessel (due to a change in a sensor signal) to minimize false triggering otherwise due to heat of reflected sunlight sensed by an infrared sensor.

As noted in the present specification, page 3, lines 15+, an inherent problem associated with infrared detectors is that normal sunlight contains electromagnetic radiation that is within the infrared portion of the spectrum. As a result, an infrared detector can be erroneously triggered by reflected sunlight received by its sensing components. A triggering of an infrared detection system by reflected sunlight, and not the heat generated by a human or other warm blooded animal, is a false trigger because the infrared radiation is the result of reflected sunlight and not the result of the situation which is intended to be detected (the presence of a human or other warm blooded animal). This can be particularly undesirable in a marine propulsion system in which the engine is turned off in response to such trigger event. On a bright sunny day, the detection circuit could be plagued with numerous false detections. The combined use of an infrared sensor and a visible light sensor in the combination defined in claim 1 provides a system that can significantly reduce the occurrence of false triggering by sunlight 63, Fig. 5, reflecting off of the surface 60 of the body of water, which reflected sunlight contains various components of the electromagnetic spectrum, including infrared, visible light, and ultraviolet. The infrared component can cause false triggering, because such infrared radiation did not emanate from a human being, and hence this is considered a false trigger of the sensor. Since sunlight 63 contains both infrared and visible electromagnetic radiation, the combination defined in claim 1 takes advantage of the presence of visible light in the sunlight to detect whether or not the presence of infrared radiation was caused by reflected sunlight and not by the presence of a warm blooded animal, including a human being. Motsenbocker '460 contains no suggestion of additionally using a visible light detector to determine whether or not a signal received from the infrared sensor is caused by reflected sunlight and not the actual presence of a human being or other warm blooded animal. There is no teaching in Motsenbocker '460 of detecting visible light and preventing false triggering of the system in response to infrared radiation received from sunlight.

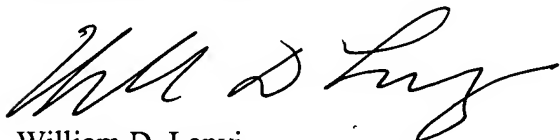
Consideration and allowance of claim 1 is respectfully requested.

All remaining independent claims, namely claims 15, 23, 31, have been amended comparably to claim 1, and are also believed in condition for allowance.

All remaining pending claims depend from respective parent claims and are believed allowable for the reasons noted above. Furthermore, these claims define subcombinations which are believed allowable.

It is believed that this application is now in condition for allowance with claims 1, 7-23, 27-31, 35-38, and such action is earnestly solicited.

10 Respectfully Submitted,



William D. Lanyi

Patent Attorney  
15 Reg. No. 30,190  
(920) 929-5419

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